Mr. K. M. Ibrahim *(Cranganur).*—Am I to take it that Government are not prepared to answer because it is in their power to do so?

Mr. Thomas Manjuran *(Government Advocate and Law Officer).*—Government regret that it is purely a personal matter and this is not the proper place to ventilate such grievances.

Mr. President.—It is a well recognised principle of all democratic institutions that the Legislature is not used in lieu of judicial courts and it is considered as a code of the highest honour among the members of Parliament not to take advantage of their position as members to ventilate personal grievances on the floor of the House.

Mr. K. M. Kunhi Moideen *(Kattur).*—May I know whether it is the ruling of the Chair that no discussion relating to a decision of the courts can be allowed here?

Mr. President.—No action has arisen for a ruling on that point. I have only stated a principle of observance which I hope every Hon'ble Member of this Council would endorse.

Suits disposed of by agreement of parties—half the fees—refund of.

310. Mr. T. S. Balarama Ayyar. *(Trichur North).*—Will the Government be pleased to state.—

(1) whether they are aware (a) that in Mysore State half of the Court fee is refunded in cases where suits are compromised or withdrawn or settled out of court, and

(b) that a similar practice is followed by the Presidency (Madras) Small Cause Court and Madras City Civil Court;

(2) whether they will be pleased to introduce a similar provision in our State also and encourage the settlement of suits out of court before hearing?

Mr. Thomas Manjuran *(Government Advocate and Law Officer).*—(1) (a) Section 17 A of the Mysore Civil Courts Regulation, I of 1883 provides for the refund of half of the institution Fee in cases disposed of without contest by agreement of parties before the framing of the issues.

(b) Under section 73 of the Presidency Small Cause Courts Act, XV of 1882, "whenever any suit or proceeding is settled by agreement of the parties before the hearing half the

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amount of all fees paid up to that time shall be repaid by the Small Cause Court to the parties by whom the same have been respectively paid". Again under section 13 of the Madras City Civil Court Act, VII of 1892, 'whenever any suit or proceeding in the city Civil Court is settled by agreement of the parties before issues have been settled or any evidence recorded half the amount of the institution fees paid by the plaintiff shall be repaid to him by the court.

(2) Government do not find sufficient justification for introducing similar provisions here.

Water works plant—Chowwara—particulars regarding.

311. **Mr. K. S. Manickam** *(Irinjalakkuda).*—Will the Government be pleased to state:—

(1) the total pumping capacity of the water works plant at Chowwara;

(2) the average output in gallons per day of the above plant referred to in (1);

(3) the number of gallons of water consumed by the Ernakulam Municipality per day;

(4) the number of gallons of water consumed by the Mattancheri Municipality per day;

(5) the number of gallons of water consumed by the Chellanam scheme per day;

(6) the cost of maintaining the barges used in taking water to Mattancheri and Chellanam;

(7) the cost of maintaining the Chowwara plant;

(8) the capital outlay on the Chowwara plant;

(9) the cost of pumping and distributing one gallon of water incurred by the Government;

(10) the rate at which water is sold to the Municipality of Ernakulam for consumption within the town?

Mr. V. K. Aravindaksha Menon *(Chief Engineer).*—

(1) About 33,000 gallons per hour.

(2) About 8 lakhs of gallons per day.

(3) The average daily consumption for April 1936 in Ernakulam was 3,04,160 gallons.

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